

REMARKS

The independent claim has been amended better to point out that which applicants regard as their invention. More particularly, the claim now specifies that the transparent conductive layer that is formed on the transparent substrate film is one comprising a reaction product of a conductive composition comprising conductive fine particles and a reactive curing resin. The specification provides support for this change at least at page 4, lines 15 to 18 and page 4, line 28 to page 8, line 32. The working examples also show a transparent conductive layer of this type.

The rejection of claims 22 to 26 under 35 USC 102 as anticipated by Ota et al. '438, if applied to the claims as amended, is respectfully traversed. The Examiner states that the reference shows among other things "a transparent conductive layer on the substrate." The portions of the reference cited by the Examiner for such a showing clearly indicate that the conductive transparent layer is one formed by using  $\text{SnO}_2$  doped with antimony or ITO; see column 11, lines 15 and 16 and lines 23 to 28. There is no contemplation or suggestion anywhere in the reference of the

particular transparent conductive layer as claimed herein and the rejection should be withdrawn. Applicants point out, moreover, that the specification at page 5, lines 3 to 8, contains a discussion that using the transparent conductive layer as claimed is advantageous because there is good adhesion to both the substrate film and the hardcoat layer, thereby enhancing the quality of the claimed low reflective antistatic hardcoat film.

The rejection of all claims under the judicially created doctrine of obviousness-type double patenting over claims 1, 6, 8 and 14 of parent patent 6,319,594 in view of Ota et al. '438 is also respectfully traversed. The cited claims of the parent patent specify neither the nature of the transparent conductive layer formed on the transparent substrate film nor the plural nature of the hardcoat layer in the hardcoat film. Applicants respectfully submit that the reference does not lead the person of ordinary skill in the art to a realization or conclusion of using plural layers in the hardcoat layer; the '594 patent independent claim 1 specifies particular characteristics of the hardcoat layer and its makeup rather than the layer arrangement. Ota et al. '438, for the reasons discussed above regarding the rejection under 35 USC 102,

do not provide that which is missing from the cited claims of the parent patent, particularly in view of the amendment to the independent claim. Claim 22 requires both a specific type of transparent conductive layer and a plurality of layers comprising the hardcoat layer in the low reflective antistatic hardcoat film.

Applicants lastly respectfully traverse the rejection of claims 22 to 26 under the judicially doctrine of obviousness-type double patenting as unpatentable over claims 1 to 5, 9, 12, and 14 to 16 of Ota et al. '438.

Claim 1 of the Ota et al. '438 patent calls for "a hardcoat layer formed on the transparent substrate film either directly or through other layer." The "other layer" is not further described in the claim. The remaining cited claims do not teach or suggest the use of the particular transparent conductive layer called for in claim 22. Ota et al. '438 claim 1 also requires a low-refractive-index layer to be formed of particular materials. There is no reason, after considering the patent claims collectively, to arrive at the invention as claimed. The rejection should be withdrawn.

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The Examiner is thanked for acknowledging receipt of the certified copies of the priority documents in the parent case.

The Examiner is asked to cite all references noted in the PTO-1449 form accompanying the Information Disclosure Statement filed with the application. Eight references were cited in the Information Disclosure Statement, three of which are cited in the PTO-892 form attached to the Office Action. Applicants ask that the remaining patents be cited as well.

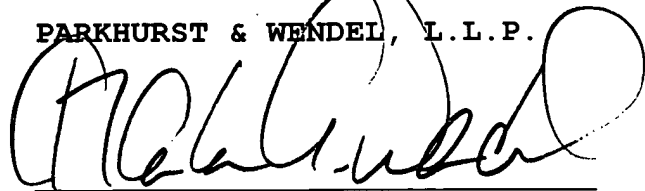
In view of the foregoing revisions and remarks, it is respectfully submitted that claims 22 to 26 are in condition for allowance and a USPTO paper to those ends is earnestly solicited.

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The Examiner is requested to telephone the undersigned if additional changes are required in the case prior to allowance.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

A large, stylized handwritten signature in black ink, appearing to read 'Charles A. Wendel', is written over the printed name and firm name.

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March 17, 2003

Date

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Attorney Docket No.: DAIN:493A

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Version with Markings to Show Changes Made

22. (Amended) A low reflective antistatic hardcoat film comprising:

a transparent substrate film;

a transparent conductive layer comprising a reaction product of a conductive composition comprising conductive fine particles and a reactive curing resin formed on the transparent substrate film;

a hardcoat layer formed on the conductive layer; and

a low refractive layer formed on the hardcoat layer,

the low refractive layer having a lower refractive index than the hardcoat layer, the hardcoat layer comprising a plurality of layers.